

Notice of Allowability

Application No.

10/034,145

Examiner

Yves Dalencourt

Applicant(s)

WUNSCH, GRANT

Art Unit

2157

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Request for Continued Examination (RCE) filed on 06/07/2007.
2. ☒ The allowed claim(s) is/are 1-4, 7-10, 14-23, 30-39 and 42-45.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 08/16/2007.
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


YVES DALENCOURT
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TECHNOLOGY CENTER 2100

DETAILED ACTION

This office action is responsive to Request for Continued Examination filed on 06/07/2007.

Response to Amendment

The Declaration filed on 06/07/2007 under 37 CFR 1.131 is sufficient to overcome the "G.voice, G.dmt.bis,G.lite.bis:Proposal for Seamless Dynamic Rate Repartition for CVoDSL" article. In view of such, the rejection under 35 U.S.C. 103 (a) has been withdrawn.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Tum B. Thach on 08/16/2007.

The application has been amended as follows:

**In claim 1, delete " and " (line 11), and insert after timing information (line 15) ----
; and implementing the reconfiguration transceive parameters in response to the
ack/comply signal, the reconfiguration transceive parameters being implemented
at a time in accordance with the implementation timing information ---.**

**In claim 2, delete " and " (line 10), and insert after will be implemented (line 13) -
--- ; and implementing the reconfiguration transceive parameters in response to
the ack/comply signal, the reconfiguration transceive parameters being
implemented at a time in accordance with the implementation timing information -**

In claim 30, delete " if " (line 11), and insert --- in response to ---.

In claim 30, delete " indicates " (line 11), and insert --- indicating ---.

**In claim 38, delete " and " (line 10), and insert after timing information (line 14) --
-- ; and means for implementing the reconfiguration transceive parameters in
response to the ack/comply signal, the reconfiguration transceive parameters
being implemented at a time in accordance with the implementation timing
information ---.**

**In claim 39, delete " and " (line 8), and insert after timing information (line 12) ----
; and means for implementing the reconfiguration transceive parameters at a time
in accordance with the implementation delay timing information ---.**

Please cancel claims 6, 11, 24 – 29, and 40 - 41.

Contact Information

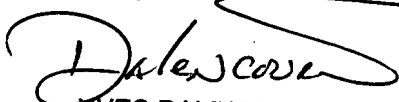
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yves Dalencourt whose telephone number is (571) 272-3998. The examiner can normally be reached on M-TH 7:30AM - 6:00PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272 4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

August 17, 2007


YVES DALENCOURT
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